



U.S. Department of Justice

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June 13, 2013

Molly Dwyer, Clerk  
United States Court of Appeals  
For the Ninth Circuit  
Post Office Box 193939  
San Francisco, California 94119-3939

Re: *United States v. Daniel David Rigmaiden*  
C.A. No. 13-10254

Dear Ms. Dwyer:

As it is well settled that an order denying a motion to suppress evidence at trial is not a final appealable order, the United States, plaintiff-appellee, hereby notifies the Court of its intent to file no response to appellant's June 5, 2013, filing unless a response is requested by the Court.

Sincerely yours,

JOHN S. LEONARDO  
United States Attorney  
District of Arizona

*s/ Frederick A. Battista*  
FREDERICK A. BATTISTA  
Assistant U.S. Attorney

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 13, 2013, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

*s/ Frederick A. Battista*  
FREDERICK A. BATTISTA  
Assistant U.S. Attorney